

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: J. Raphel

Application number: 09/912,401

Filed: July 26, 2001

For: *SYSTEM, METHOD AND COMPUTER
PROGRAM PRODUCT TO MAXIMIZE SERVER
THROUGHPUT WHILE AVOIDING SERVER
OVERLOAD BY CONTROLLING THE RATE OF
ESTABLISHED SERVER-SIDE NETWORK
CONNECTIONS*

Attorney Docket No.: 2006579-0455 (CTX-171)

Art Unit: 2453

Confirmation No.: 4249

Examiner: Strange, Aaron N.

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. Applicants respectfully request that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom. Copies of cited U.S. patents and U.S. published applications (Reference ID Nos. A23-A49) are not enclosed with this statement. There are no copies of foreign patent documents submitted herewith. Copies of non-patent literature (Reference ID No. C7-C8) are enclosed in accordance with 37 CFR 1.98(a)(2).

This Information Disclosure Statement is filed after the mailing of a first Office Action on the merits and before any of a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application as far as is known to the undersigned (37 CFR 1.97(c)). A fee of \$180.00 as set forth in 37 CFR §1.17(p) is also submitted herewith.

In accordance with 37 CFR 97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

Applicants submit that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references. In addition, Applicants direct the Examiner's attention to the following United States patent applications.

Our reference number	Application number	Filing date
CTX-171DV	11/554,933	07-26-2001

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 03-1721, under Order No. 2006579-0455 (CTX-171).

Respectfully submitted,

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Dated: October 29, 2008

/Christopher J. McKenna/
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